

Remarks

The Examiner in the Official Action rejected claims 1-3, 6, 8-9 and 12-13 under 35 USC 102 (b) over Chee and also rejected claim 1-16 under the judicially created doctrine of double patenting.

Filed concurrently herewith is a terminal disclaimer prepared in compliance with 37 CFR 1.32 (c) which applicant respectfully submits over comes the double patenting rejection.

In response to the rejection of claims 1-3, 6, 8-9 and 12-13 under 35 USC 102 (b), applicants have amended independent claims 1, 8 and 14 and the appropriate dependent claims to include the limitation of providing a rigid lateral support section, a rigid strut portions, and/or a rigid arm restraint. The cited Chee reference fails to teach or suggest rigid sections as taught and claimed by applicant. The present invention is designed to encourage and /or train the user to assume a proper posture for computer keyboard use, or the like. The rigid components assure that the user will be maintained in the proper posture position. This is in contrast to the Chee reference which discloses the use of elastic straps 20, 30, 120, 130 (see Col.4, lines36; Col. 5, line34; Col 6, lines 6-7) for supporting arms of the user (see Col 2, lines17-26). The Chee reference does not teach or suggest rigid components as set forth in the rejected claims. In fact, it respectfully submitted that the Chee reference teaches away from using rigid components by providing of elastic straps. Further, there is no teaching or suggestion in Chee of providing a device for providing proper posture to a user to which the present invention is directed. In view of the forgoing applicant respectfully submit that Chee does not anticipate or suggest the invention as currently set forth un claims 1-3, 6, 8-9 and 12-13.

New claims 17 is a combination of old claim 1 and claims 5. Rejection of this claim was based on double patenting, applicant respectfully submits that in view of the terminal disclaimer filed concurrently herewith these new claim 17 and dependent claim 18 are also in condition for allowance.

Applicant has also made some minor corrections so that the claims are consistent in claim terminology.

In summary, applicant respectfully submits that the application in it's present form is in condition for allowance and such action is respectfully requested.

Respectfully submitted,



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